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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,066	04/21/2004	Frank Gong	SBL01741	5955
22917	7590	04/09/2010	EXAMINER	
MOTOROLA, INC.			PATEL, AJIT	
1303 EAST ALGONQUIN ROAD				
IL01/3RD				
SCHAUMBURG, IL 60196				
			ART UNIT	PAPER NUMBER
			2617	
			NOTIFICATION DATE	DELIVERY MODE
			04/09/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

Office Action Summary	Application No. 10/829,066	Applicant(s) GONG ET AL.	
	Examiner AJIT PATEL	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-14, 16-21, 23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-14, 16-21, 23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 7-14, 16-21, 23, 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaschke (U.S. Pat. # 5,555,550, newly cited).

Regarding claim 1, Kaschke discloses keypad apparatus with integral display indicators a top cover placed over a stack of keypad components (105 of fig. 1); a bottom cover placed under the stack (106-110 of fig. 1); the top cover and the bottom cover defining a common perimeter; and an over molded portion that extends around the perimeter to form a self contained key pad unit (101-104 of fig. 1).

Regarding claims 2, 12, 21, Kaschke discloses the top cover and the bottom cover sandwich the stack (see fig. 1).

Regarding claims 3, 17, 18, Kaschke discloses the top cover and the bottom cover are over molded to create a sealed common boundary (lines 27-35, col. 3).

Regarding claim 4, 10, Kaschke discloses comprises a primed circuit board with a flex member, an electro luminous panel, a silicone membrane with a plurality of keys, placed on top of each other (lines 36-42, col. 3).

Regarding claim 5, 14, Kaschke discloses the flex member provides an electrical connection between the self contained key pad unit and a device that hosts

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the self contained key pad unit (101-104 of fig. 1).

Regarding claim 7, Kaschke discloses the flex member protrudes out a trough of the self contained key pad unit (fig. 4).

Regarding claims 8,13, Kaschke discloses the bottom cover with a recess that houses a speaker therein (inherent in the phone).

Regarding claim 9, Kaschke discloses the top cover and bottom cover fabricated from at least one of polycarbonates, thermoset plastics, or thermoformed plastic (see abstract).

Regarding claim 10, Kaschke discloses an illumination color or a brightness on a surface of the keypad indicates a mode of the key pad (lines 3-9, col. 3).

Regarding claim 11, Kaschke incorporating the steps of sandwiching a plurality of key pad components between a top cover and a bottom cover (105, 106-110 of fig. 1), the top cover and bottom cover defining a common perimeter; and inserting molding around the perimeter for encapsulating the top cover and the bottom cover (101-104 of fig. 1).

Regarding claim 16, Kaschke discloses a membrane with a plurality of keys placed thereupon, a printed circuit board positioned beneath the membrane (106 of fig. 1); a top cover placed over the stack (105 of fig. 1); and a bottom cover placed under the stack (106-110 of fig. 1), the top cover and the bottom cover define a common boundary around the stack, the common boundary over molded to encapsulate the stack between the bottom cover and the top cover (101-104 of fig. 1).

Regarding claim 19, Kaschke discloses the bottom cover connected to a piezo

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electric speaker (inherent in the phone).

Regarding claim 20, Kaschke discloses the bottom cover contacts the printed circuit board (106 of fig. 1).

Regarding claims 23, 24, Kaschke discloses an identification component that automatically identifies the key pad to a device that hosts the self contained key pad assembly (101-104 of fig. 1).

4. Applicant's arguments with respect to claims 1-5,7-14,16-21,23-24 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIT PATEL whose telephone number is (571)272-3140. The examiner can normally be reached on MON-FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PAUL HARPER can be reached on 571-272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/AJIT PATEL/
Primary Examiner, Art Unit 2617